

SPECIAL MASTER CODE ENFORCEMENT HEARING OF JANUARY 14, 2000

MINUTES  
TOWN OF OCEAN RIDGE  
SPECIAL MASTER CODE ENFORCEMENT HEARING  
JANUARY 14, 2000

Present: Ken Spillias, Town Attorney, Gregory Dunham, Town Manager, Karen Hancsak, Town Clerk, Edward Hillery, Director of Public Safety and Lt. Stefan Katz.

Meeting called to order at 8:30 A.M.

- A. Special Master Paulette Torcivia advised that she has read the minutes, however, since she did not preside at the Dec. 14, 1999 hearing she could not approve the minutes.

Special Master Paulette Torcivia suggested that CE99-28 be heard first citing that no one was present from the public on either case.

- B. VIOLATION HEARING

CASE NO. CE99-28 Robert DePalma

RE: 4 Coconut Lane

NATURE OF VIOLATION

Violating Sections 14-154(c ) by permitting the lot to be overgrown, having uncut vegetative grown, and fallen trees thus causing a blighting influence on the surrounding neighborhood.

Lt. Katz was sworn in by Special Master Torcivia. The respondent was not present and Atty Spillias requested Lt. Katz present the case. Lt. Katz advised that one of his duties is to enforce code violations and on Nov. 12, 1999 at 8:30 AM he observed that 4 Coconut Lane had several violations relating to the maintenance of landscaping.

Special Master Torcivia requested evidence of the serving of proper notice. Lt. Katz provided the signed certified return receipt dated Dec. 29, 1999 along with the affidavit and section of the code. They were entered as Exhibit 1. Special Master Torcivia found that the respondent was given proper notice.

Lt. Katz explained that the property, which is currently vacant, has not been maintained with fallen trees as a result of storms, overgrown with vegetation over 12" and other weeds which all cause a blighting influence.

Lt. Katz submitted six photographs taken by Officer Wohlfiel on Jan. 14, 2000 which were entered as Exhibit 2. Special Master Torcivia reviewed the photographs and determined that there were fallen trees, an uprooted large Ficus and a large trash bin. Lt. Katz commented that the trash bin had been brought in approximately 1 ½ to 2 weeks

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ago. He added that the contractor had stopped in to advise that they would be performing the work, however, it has not started.

Special Master Torcivia stated that she found in favor of the town. After recommendations from the town she determined that the work must be in full compliance by Jan. 21, 2000 failing which would constitute a \$75.00 daily fine with the fine assessment hearing to be held on Jan. 24, 2000 at 10:00 AM. She also directed that a faxed copy of the order be forwarded via certified mail at the earliest convenience.

CASE NO. CE99-22 James Geiger and/or Edward Garnett  
CE99-22a RE: 32 Spanish River Drive  
CE99-24 NATURE OF VIOLATIONS  
CE99-25 Violating Section 14-26(a) and 26-33(a) by permitting the construction and erection of fence gates, including electrical work, without applying for or obtaining a building permit which also exceeds a maximum height of 4' in the required front yard.  
Violating Section 22-8 by obstructing a fire hydrant.  
Violating Section 14-96(2) by filling without a permit.

Atty Spillias advised that CE99-22 – CE 99-25 were all issued to the same property to James Geiger, owner of record, and Edward Garnett, ownership interest. He added that both individuals were represented by Donald Lunny, Esq. and that at the last hearing the Special Master granted a continuance to accommodate Mr. Garnett's holiday schedule.

Atty Spillias advised that both counsels have been attempting to reach a stipulation, which has been achieved in principle late Jan. 13, 2000. He added that both parties have agreed to request a continuance until Jan. 24, 2000.

Special Master Torcivia stated that her order would convey that the hearing would be continued until Jan. 24, 2000 at 10:00 AM. She added that she noticed that the minutes reflected cases CE99-23 through CE 99-25 and they should be corrected to read CE99-22 through CE99-25.

C. Adjournment

The meeting was adjourned at approximately 9:00 AM.

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Town Clerk